

THE BOARD OF SUPERVISORS
OF THE COUNTY OF STANISLAUS
STATE OF CALIFORNIA

Special and Regular Session
District Four Vacant
Pledge of Allegiance to the Flag

Tuesday

September 15, 2020

Convened at 5:35 p.m. for Special Session

Prior to adjourning into Closed Session an opportunity was given to the public to address matters listed under Closed Session.

1.1 Conference with Director of Emergency Services - Threat to Public Services: Pursuant to Government Code section 54957(a), the Board will confer with the Director of Emergency Services and County Counsel regarding matters posing a threat to essential public services and the public's right of access to public services or facilities. No reportable action was taken.

1.2 Conference with Legal Counsel - Existing Litigation: Pursuant to Government Code Section 54956.9 (d)(1). One case: Foster Farms, LLC et al., v. County of Stanislaus and Stanislaus Consolidated Fire Protection District et al., Superior Court, County of Stanislaus Case No. CV-20-002107. No reportable action was taken.

1.3 Conference with Legal Counsel - Anticipated Litigation: Pursuant to Government Code Section 54956.9 (d)(4). One item.

1.3 Closed Session Announcement: DeMartini/Chiesa (4-0)(District Four vacant) Authorized the Chairwoman to execute a settlement agreement with Westside Community Healthcare District regarding the repayment of \$141,869.85 in mistakenly distributed property tax. 2020-0453

Reconvened at 6:35 p.m. for Regular Session

A moment of silence was held for Stanislaus County Supervisor Tom Berryhill.

Tribute to Stanislaus County Supervisor Tom Berryhill.

Recessed at 7:10 p.m.

Reconvened at 7:18 p.m.

Public Health Nurse Julie Falkenstein, Epidemiologist Chelsey Donohoo and Assistant Director of Emergency Services Richard Murdock provided an update related to the 2019 Novel Coronavirus (COVID-19) emergency and essential services in Stanislaus County.

Miguel Donoso asked if the County was celebrating September as Hispanic Heritage month. He spoke regarding discrimination in the County, the lack of Hispanic representation on the Board, and noted past elections for County offices where Hispanic and African-American candidates were not elected.

John Mataka asked if the percentage of positive COVID-19 test results for Latino's have declined or remained stagnant in Stanislaus County. Epidemiologist Chelsey Donohoo responded that the percentage of positive COVID-19 cases for Latinos has decreased.

DeMartini/Chiesa (4-0)(District Four vacant) Adopted the consent calendar

- 8.A.1** Approved the minutes of 08/25/2020
- 8.A.2** Proclaimed October 2020 as Italian American Heritage Month in Stanislaus County
2020-0454
- 8.A.3** Amended the 2020 Meeting Calendar for the Stanislaus County Board of Supervisors to
reinstate the meeting on 12/01/2020 and cancel the meeting on 12/08/2020 2020-0455
- 8.A.4** Appointed Wayne Pacheco to the Stanislaus County Planning Commission
2020-0456
- 8.A.5** Appointed Ardria Weston to the Stanislaus County Workforce Development Board
2020-0457
- 8.A.6** Accepted the resignation of Virginia Solorzano from the Stanislaus County Behavioral Health
Board 2020-0458
- 8.A.7** Accepted the resignation of Jeffrey Rowe from the Economic Development Action
Committee 2020-0459
- 8.B.1** Declared Sheriff Vehicle 0T-58, a 2004 PACE utility trailer with serial number
4P2FB12134U052045, as surplus; authorized the Purchasing Agent to sign the release of
liability for Vehicle 0T-58; and, authorized the Sheriff to donate Vehicle 0T-58 to the
Stanislaus County Sheriff's Employee Foundation to store supplies for the Tactical
Culinary Unit BBQ team – GSA 2020-0460
- 8.B.2** Reviewed and accepted the Annual Reports for the County of Stanislaus Tobacco Endowment
Funds-Series 2002 and Series 2006 for FY Ending 06/30/2020; and, authorized the
Chairwoman of the Board to sign on behalf of the Board that the reports have been
reviewed and accepted – T/TC 2020-0461
- 8.B.3** Adopted the 1% Ad Valorem Tax rate authorized by Sections 93(b) and 135 of the Revenue
and Taxation Code; adopted tax rates that are "...needed to make annual payments for the
interest and principal on general obligation bonds or other indebtedness approved by the
voters" to be levied pursuant to Revenue and Taxation Code 93(a) and 93(c); adopted the
Countywide Unitary Tax rate of 1.415342% as calculated and authorized by Section 100 of
the Revenue and Taxation Code; and, adopted the 0.8714% tax rate for the territory
formerly served by the Lower San Joaquin Levee District – Auditor-Controller
2020-0462
- 8.B.4** Authorized the Sheriff's Department to offer employment to Joshua Craig and Curtis Hankins
as Deputy Sheriff I at step five of the salary range, \$38.57 per hour – Sheriff
2020-0463
- 8.B.5** Approved the Master Agreement for Independent Contractor Services with Odyssey Power
Corporation for County-wide generator maintenance and as-needed repair services not to
exceed the amount of \$354,946.80 for the five-year term; and, authorized the Purchasing
Agent to sign the Master Agreement identified above, and any subsequent amendments to
the Agreement on behalf of the County – GSA 2020-0464

- 8.B.6** Approved the Agreement with Gartner, Inc. in the amount of \$208,710 for Information Technology Services through the Gartner Executive Program; authorized the Purchasing Agent, or designee, to enter into agreement with Gartner, Inc., for Information Technology Consulting Services and to sign any necessary documents; and, authorized the Purchasing Agent or designee to execute any amendments and extensions – ITC 2020-0465
- 8.B.7** Approved an update on emergency repairs to the Public Safety Center West, Minimum Housing Unit 1, and Support Services Facility's fire-life safety, secure electronics, and video surveillance systems along with the abatement of water damage found in the mechanical chases at the Public Safety Center West; approved a change order with Accurate Controls Inc, of Ripon, WI for \$56,936 for changes required by the Fire Marshal, using funds in the approved project budget for this purpose; and, authorized the Project Manager to execute the change order – CEO 2020-0466
- 8.B.8** Accepted an update in accordance with Public Contract Code Sections 20134 and 22050 for emergency remediation/repairs at 10th Street Place, to repair water damage and restore essential government operations – CEO 2020-0467
- 8.C.1** Authorized the Public Works Director to sign the agreement with River Partners for environmental mitigation on the Crows Landing Road over the San Joaquin River Bridge Project; and, authorized payment of \$455,520 to River Partners for environmental mitigation measures on the Crows Landing Road over the San Joaquin River Bridge Project – PW 2020-0468
- 8.C.2** Approved Amendment No. 4 to the T.Y. Lin International Professional Design Services Agreement for the Hills Ferry Road Bridge Seismic Retrofit Project, in the amount of \$178,873; with a new, not-to-exceed, total contract amount of \$2,643,003; and, authorized the Director of Public Works to execute the amendment with T.Y. Lin International in the amount of \$178,873 and to sign necessary documents – PW 2020-0469
- 8.C.3** Approved Amendment No. 5 to the professional design services agreement for additional construction support services with Mark Thomas and Company, in the amount of \$57,422.31 for the St. Francis Avenue over Modesto Irrigation District (MID) Main Canal Bridge Replacement Project; authorized the Director of Public Works to execute the amendment with Mark Thomas and Company in the amount of \$57,422.31, for a not to exceed amount of \$451,570.31, and to sign necessary documents; and, authorized the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW 2020-0470

Withrow/DeMartini (4-0)(District Four vacant) **9.1** Accepted the Sheriff Department's 2019 Report on Immigration and Customs Enforcement access, pursuant to Government Code Section 7283.1(d); and, conducted a Community Forum pursuant to Government Code Section 7283.1(d) – Sheriff 2020-0471

Withrow/Chiesa (4-0)(District Four vacant) **10.1** Accepted an update on Emergency Non-Congregate Sheltering and Support provided during the COVID-19 Public Health Emergency; authorized the Director of the CSA, or her designee, to negotiate and enter into any agreements through 12/31/2020, in an amount up to \$837,800 to secure sites and services to reduce the transmission of COVID-19; and, authorized the Auditor-Controller to make the necessary budget adjustments, increasing appropriations in the CSA Housing and Homeless Services budget by \$837,800, as detailed in the budget journal attached to the agenda item – CSA 2020-0472

Withrow/Chiesa (4-0)(District Four vacant) **10.2** Approved the Non Profit Support Grant Program Evaluation Criteria/Scoring Rubrix developed in collaboration with the Stanislaus Community Foundation (SCF) as detailed in the staff report; approved the use of up to \$1 Million of Coronavirus Aid, Relief, and Economic Security Act (CARES) Coronavirus Relief Funds (CRF) to partner with the Downtown Modesto Partnership (DoMo) to launch a countywide touchless gift card program, StanRAD Card; authorized the CEO, or designee, to negotiate and execute agreements with Stanislaus Community Foundation and Downtown Modesto Partnership to provide administrative support as detailed in the staff report; and, **amended** the item in regards to the StanRAD Card program, to allow staff the flexibility to adjust the allocations for jurisdictions – CEO 2020-0473

DeMartini/Withrow (4-0)(District Four vacant) **10.3** Approved Staff Recommendation No. 2 to take a position of “No Action” on the Board’s behalf on the proposed contract conversion assessment by the Del Puerto Water District regarding land owned by Stanislaus County that falls within the District and take other related actions; and, directed staff to seek direction from the Board at future meeting regarding whether the County should submit a request to the Del Puerto Water District to detach from the District – DER DW-17-14 2020-0474

Corr 1 Referred to the Chief Executive Office and Environmental Resources, a copy of the 2020 Crows Landing Naval Base Easement, Annual Reserve Monitoring Report from the West Stanislaus Resource Conservation District.

Corr 2 Referred to the Department of Workforce Development, Worker Adjustment and Retraining Notification letters regarding the layoff of employees from Western Dental Services, Inc. and Golden Valley Health Centers.

Corr 3 Referred to the Auditor-Controller's Office, a copy of the East Side Mosquito Abatement District's Fiscal Year 2020-2021 Budget.

Corr 4 Referred to the Chief Executive Office, a letter from the Consul General of Mexico regarding the Center for Attention to Mexican Nationals emergency phone number and the Consulate’s availability to provide assistance to Mexican nationals residing in Stanislaus County impacted by the wildfires.

Corr 5 Referred to the Clerk-Recorder and Registrar of Voters, a letter from the Keyes Community Services District regarding the appointment of Timothy Robertson to their Board of Directors.

Corr 6 Referred to County Counsel, a letter from the American Civil Liberties Union of Northern California regarding expanding public access to meetings by allowing public comment via teleconference or telephone.

Corr 7 Acknowledged receipt of claims and referred to the CEO’s Office the following claims: Sodhi Law Group on behalf of Jakrun Sodhi; Rachel Marmol; Traci Thoming; Norma Segovia; Johnny Segoviano; Susie Bristow; Marjorie Belieu; Alysonn Cassidy; Scott Ward, Attorney at Law, on behalf of Miguel and Sarah Mascorro; Edgar Cameros; and, Manuel Valencia.

Supervisor DeMartini noted that McClatchy, the newspaper publishing company, has filed bankruptcy.

Adjourned at 10:08 p.m.

ATTESTED: ELIZABETH A. KING, Clerk
of the Board of Supervisors
of the County of Stanislaus
State of California

BY: KELLY RODRIGUEZ, Assistant Clerk of the Board of Supervisors
(The above is a summary of the minutes of the Board of Supervisors. Complete minutes are available
from the Clerk of the Board's Office.)